

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, APRIL 2, 1990  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:07 a.m.  
Mayor O'Connor adjourned the meeting at 6:05 p.m. to meet in Closed  
Session on Tuesday, April 3, 1990 at 9:30 a.m. in the twelfth floor  
conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Apr-2-1990

ITEM-10: INVOCATION

Invocation was given by Father Ron Hebert of Mary Star  
of the Sea Catholic Church.

FILE LOCATION: MINUTES

Apr-2-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Henderson.

FILE LOCATION: MINUTES

Apr-2-1990

ITEM-30: PRESENTED

Recognizing the Downtown Rotary for their efforts in  
organizing the "Professional for the Day" and judging for  
"Mayor for the Week"; recognizing the 19 finalists;  
presentation by the KidsPlace Committee of preliminary  
results of the survey.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A020-220.)

MOTION BY BERNHARDT TO APPROVE. Second by Hartley. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-90-1469) ADOPTED AS RESOLUTION R-275396

Declaring the week of April 1st through April 7th as the  
"Week of the Young Child"; declaring April 7, 1990 as "The  
Day in the Park" in Balboa Park, in celebration of the City  
of San Diego's young children.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-390.)

MOTION BY BERNHARDT TO ADOPT. Second by Hartley. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-32: (R-90-1555) ADOPTED AS RESOLUTION R-275397

Commending the volunteer efforts of Dr. Dalton Lee's Public  
Administration Class at San Diego State University in  
making the Graffiti Removal Improvement Program successful  
and their dedication in making this a community project.  
(District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-390.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

Apr-2-1990

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:

03/01/90 Special  
03/05/90 Adjourned  
03/06/90 Adjourned  
03/07/90 Special  
03/08/90 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A621-644.)

MOTION BY PRATT TO APPROVE THE MINUTES. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-50: (O-90-151) ADOPTED AS ORDINANCE O-17449 (New  
Series)

Amending Chapter X, Article 1, Division 4, of the San Diego  
Municipal Code, by adding Section 101.0451, relating to  
Height Limitation in the Coastal Zone.  
(Introduced on 3/19/90. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A680-B048.)

CONSENT MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-51: (O-90-132) INTRODUCED, TO BE ADOPTED APRIL 16,  
1990

Introduction of an Ordinance amending Chapter III, Article  
1, Division 1, of the San Diego Municipal Code by amending  
Section 31.0120, relating to Business Taxes.  
(See City Manager Report CMR-90-129.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/90.

Recommendation to approve the City Manager's recommendation to  
adopt an ordinance to revise the San Diego Business Tax Code to  
prohibit use of the Business Tax Certificate in advertisement.  
Districts 1, 2, 5, 8 and Mayor voted yea. District 4 not  
present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-055.)

CONSENT MOTION BY FILNER TO INTRODUCE THE ORDINANCE. Second by

Pratt. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-52: (O-90-147) INTRODUCED, TO BE ADOPTED APRIL 16,  
1990

Introduction of an Ordinance amending Chapter III,  
Article 3, of the San Diego Municipal Code by repealing  
Sections 33.0205 and 33.2801, relating to Friendship Clubs  
and by adding Sections 33.2801 through 33.2822, relating to  
Escort Services; and by amending Section 33.0304, relating  
to the Licensing of Police Regulated Businesses.  
(See City Manager Report CMR-90-132.)

COMMITTEE ACTION: Reviewed by PSS on 3/21/90.  
Recommendation to approve the City Manager's recommendation.  
Districts 2, 3 and 4 voted yea. Districts 5 and 7 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-055.)  
CONSENT MOTION BY FILNER TO INTRODUCE THE ORDINANCE. Second by  
Pratt. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,  
Henderson-not present, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-100: (R-90-1252) ADOPTED AS RESOLUTION R-275398

Awarding contracts for the purchase of three specific  
waterworks valves, as may be required for a period of  
one year beginning April 1, 1990 through March 31, 1991,  
at an estimated cost of \$73,700 for the one year period,  
including tax and terms, as follows: (BID-E1157/90)

1. Western Water Works Supply for Item 1, with price  
escalation not to exceed 10 percent.
2. San Diego Pipe & Supply for Item 2 and Item 3, with  
options to renew the contract for four additional  
one year periods, with option year price increases  
not to exceed the prices in effect for the previous  
contract period by more than 10 percent.

FILE LOCATION: CONT - Purchase - Western Water Works  
Supply; San Diego Pipe & Supply

CONTFY90-2

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-90-1435) ADOPTED AS RESOLUTION R-275399

Authorizing the City Manager to release Performance Bond No. 02 64 52, issued by Insurance Company of the West, in the amount of \$4,162,932; accepting Performance Bond No. 115 92 48, issued by Insurance Company of the West, in the amount of \$68,000, as the surety for the remaining required improvements in the subdivision and substituting the same as Exhibit C to the Subdivision Improvement Agreement for Canyon Hills PRD, City Clerk Document No. RR-268386.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On May 26, 1987, the City entered into an agreement with J.L. Elder Corporation for the construction of public improvements for Canyon Hills PRD. Performance Bond No. 02 64 52 issued by Insurance Company of the West, in the amount of \$4,162,932, was provided by the subdivider. Subsequently, a portion of the land within the

subdivision has been sold to the City of San Diego for park purposes. The improvements which were originally required for residential development on the park land are no longer required. The improvement plans have been modified to reflect that change. the subdivider wishes, therefore, to reduce his surety to cover only the improvements currently required, and has provided a new bond in the amount of \$68,000, to cover those improvements remaining.

FILE LOCATION: SUBD - Canyon Hills PRD

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-90-1453) ADOPTED AS RESOLUTION R-275400

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and denominated as the Mission Gorge Road (Fairmount Avenue to Zion Avenue) Underground Utility District.

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Mission Gorge Road between Fairmount Avenue and Zion Avenue. This is a scheduled project in the calendar year 1990 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9000762.

FILE LOCATION: STRT K-193

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-90-1444) ADOPTED AS RESOLUTION R-275401

Approving the acceptance by the City Manager of easement deeds of Loma Vista Center Partners, granting to the City easements for public street purposes and sewer purposes in Lots 1, 2, 3 and 4, Peterson Subdivision, Map-5442; and in Lots 10 and 11, Wiemeyer Tract, Map-2291; dedicating the land conveyed for public street purposes, and naming the same 47th Street and Market Street.

(Southeast San Diego Community Area. District-4.)

FILE LOCATION: DEED - F-5226 DEEDFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-90-1467) ADOPTED AS RESOLUTION R-275402

Amending Council Policy 700-34, entitled "Vest Pocket Park  
Development," to allow for a minimum size park of  
approximately 5,000 feet.  
(See City Manager Report CMR-89-404.)

COMMITTEE ACTION: Reviewed by PFR on 8/9/89. Recommendation  
to revise the policy to allow for a minimum size park of

approximately 5,000 square feet. Districts 1, 5, 6, 7 and 8  
voted yea.

CITY MANAGER SUPPORTING INFORMATION: On August 9, 1989, the  
Public Facilities and Recreation Committee reviewed City Manager  
Report CMR-89-404 relative to Vest Pocket Park development,  
Council Policy 700-34. At that time the Committee approved the  
City Manager's recommendation to revise the policy to allow for  
a minimum size of a vest pocket park to be approximately 5,000  
square feet. This request will provide for the approval of the  
proposed revision to Council Policy 700-34 as approved by the  
Public Facilities and Recreation Committee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-90-1474) ADOPTED AS RESOLUTION R-275403

Recognizing the dedication of the American Diabetes  
Association for its munificent efforts in the war against  
diabetes; designating March 20, 1990 as "American Diabetes  
Alert Day" in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)



CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-90-1461) ADOPTED AS RESOLUTION R-275404

Adopting a three-year work plan for child care  
coordination, as set forth in the City Manager's Report to  
the Public Services and Safety Committee.  
(See City Manager Report CMR-90-134.)

COMMITTEE ACTION: Reviewed by PSS on 3/21/90. Recommendation  
to approve the City Manager's recommendation. Districts 2, 3  
and 4 voted yea. Districts 5 and 7 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)  
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-90-1485) ADOPTED AS RESOLUTION R-275405

Expressing Council opposition to the Governor's proposed  
elimination of funding for Child Abuse Prevention and  
Training Act for the reasons set forth in Intergovernmental  
Relations Department Report IRD-90-9, dated March 14, 1990;  
authorizing and directing the Intergovernmental Relations  
Department to convey to the appropriate officials the  
City's position in this matter.  
(See Intergovernmental Relations Department Report  
IRD-90-9.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/90.  
Recommendation to approve the Intergovernmental Relations  
Department's recommendation to oppose the Governor's proposed  
cuts eliminating the Child Abuse Prevention and Training Act.  
Districts 1, 2, 4, 5, 8 and Mayor voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-90-1375) ADOPTED AS RESOLUTION R-275406

Determining, that in the future, and in accordance with Charter Section 28, deeds conveying City property may be executed by the City Manager, or an assistant or deputy City Manager, on behalf of the City, subject to all City regulations requiring prior Council approval of the sale of City properties.

(See City Manager Report CMR-90-114.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/90.

Recommendation to approve the City Manager's recommendation to streamline the procedural process for conveying City-owned land by authorizing the City Manager to sign all deeds of conveyance for the City in lieu of the Mayor. Districts 1, 2, 5, 8 and Mayor voted yea. District 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-90-1484) ADOPTED AS RESOLUTION R-275407

Excusing Councilmember Bob Filner from attending the Transportation and Land Use Committee meetings of February 12 and 26, 1990, to attend official City business in the 8th Council District.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110: (R-90-1486) ADOPTED AS RESOLUTION R-275408

Authorizing the City Manager to continue negotiations with the Padre Dam Municipal Water District for leasing of the Santee water reclamation plant and approximately 50 acres of land.

(See City Manager Report CMR-90-138.)

COMMITTEE ACTION: Reviewed by PSS on 3/21/90.

Recommendation to approve the City Manager's recommendation.

Districts 3, 4, 5 voted yea. Districts 2 and 7 not present.

WU-CWP-90-130.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-90-1499) ADOPTED AS RESOLUTION R-275409

19900402

Authorizing the execution of a lease agreement with the San Diego Chargers for 1,145 square feet of administrative office space for the Charger Football Company and 2,055 square feet for construction office space for A. G. Spanos Construction Company at a monthly rental of \$3,615.70.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Chargers lease

12,889 square feet of administrative office space on Level 1-A at San Diego Jack Murphy Stadium. The Chargers desire to expand their offices by 3,200 square feet with 1,145 square feet to be used for administrative office purposes and 2,055 square feet to be used by A. G. Spanos Construction. The construction office area will allow Dean Spanos, an officer of both the Chargers and A. G. Spanos Construction, to continue functioning in his key role in both organizations. The proposed lease will commence upon execution by the City Manager and terminate December 31,

2003. The monthly rent of \$3,615.70 will commence June 1, 1990 and equates to \$1.04 per square foot per month on the administrative office space and \$1.18 per square foot per month on the construction office space. The rate for the team's administrative office purposes is slightly lower than fair market rent as has been the City's practice to offer teams a more favorable rate. The rent will be adjusted each December by increases in the Consumer Price Index to a maximum of 5 percent and every five years to a rate tied to office rates in Mission Valley. The proposed expansion will require the Chargers to develop the space within a portion of the unimproved concrete shell of the Stadium at an estimated cost of \$120,010. A rent credit for this amount is proposed and will be amortized over the first few years of the lease. The proposed lease has been approved by Stadium management and was approved by the Stadium Authority at its March 1, 1990 meeting.

FILE LOCATION: LEAS - San Diego Chargers; 61 (Stadium)  
LEASFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-90-1500) ADOPTED AS RESOLUTION R-275410

19900402

Authorizing the execution of an amendment to the office lease agreement with the San Diego Chargers to provide that the City shall maintain the heating and air conditioning system.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The City executed an office space lease with the San Diego Chargers in January, 1988, for 12,889 square feet. It was the understanding of the City and the Chargers that the City would maintain the heating and air conditioning system, as it has in the past for major tenants. This provision was inadvertently left out of the lease agreement that was executed. The proposed amendment will make the agreement conform with the parties' understanding and practice. The

proposed amendment has been approved by Stadium management and was approved by the Stadium Authority at its March 1, 1990 meeting.

FILE LOCATION: LEAS - San Diego Chargers; 61 (Stadium)  
LEASFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-90-1476) ADOPTED AS RESOLUTION R-275411

Authorizing the execution of a third amendment to the agreement with Harry L. Summers, Inc. which extends the time for performance of Summers Governor Park to construct the last two buildings in return for payment of \$20,000 in 1992-1993, and \$15,000 for each one year extension thereafter.

(South University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The City and Genstar Development, Inc. also called "Penasquitos", entered into a Purchase and Development Agreement on May 3, 1979 relating to approximately 56 acres in the University City area. This agreement was amended on December 9, 1980 and again on November 9, 1987. Harry Summers, Inc., (HLSI) is the successor-in-interest to Penasquitos. HLSI has, since 1980, developed the property as a business park known as Summers Governor Park. Paragraph 4 of the agreement obligates the owner to the property: (i) to develop the property so as to create no fewer than 30 job opportunities per acre of development; and (ii) to fully subdivide the property; and (iii) to construct structures on each lot on or before June 30, 1992.

HLSI has complied with the first and second obligations referred to. However, because there is a large vacancy rate of MIP zoned buildings at this time, HLSI is reluctant to build out the last two lots as required in Section 3 until the absorption of existing buildings improves and demand is shown for more space. HLSI represents that there are presently more than 2500 jobs on the property (1680 required) and the property is fully

subdivided. This action will provide the City Manager the ability to extend the agreement one year at a time, until the

last two lots are built out. The first year (1992 to 1993) HLSI will pay \$20,000 to cover the cost of setting up the amendment and the projected loss of the City's share of lost additional tax revenue, and \$15,000 for each yearly extension thereafter.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-114: (R-90-1501) ADOPTED AS RESOLUTION R-275412

Authorizing the execution of an agreement with Groundwater Technology, Inc., to provide professional services for Centerside II, Hazardous Waste Investigation; authorizing the expenditure of an amount not to exceed \$20,000 from Subdivision Trust Fund 63020, Account 9022, for the purpose of providing funds for the above project.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Pursuant to Planned Commercial Development Permit PCD-86-0861, adopted on February 27, 1987, Homart Development Company is required to construct a hook-ramp through a CalTrans Encroachment Permit, realigning I-8 and Camino Del Rio North. During the course of a geo-technical investigation performed in March 1989, hydrocarbon odors were reported in one boring. A subsequent historical investigation revealed a fuel tank and dispensers in close proximity to this boring. To expedite the construction of the hook-ramp City staff is administering a contract to perform a hazardous waste study. Potential impact on the construction project shall be assessed. Funding shall be provided by Homart Development Company through a Subdivision Trust Fund. Under this agreement, Groundwater Technology, Inc. shall perform a subsurface assessment of potential hydrocarbon contamination under and adjacent to existing and planned roadways. All work shall be accomplished in accordance with all regulatory dictates and agency permits. MBE/WBE participation on this contract shall be approximately 7 percent.

Aud. Cert. 9000793.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-90-1394) ADOPTED AS RESOLUTION R-275413

Authorizing the execution of a first amendment to the agreement with Estrada Land Planning for professional services in connection with completion of the Balboa Park Master Plan; authorizing the expenditure of an amount not to exceed \$20,798.51 from CIP-21-834.0, Balboa Park Requirements, Transient Occupancy Tax Unappropriated Reserve Fund No. 102242, for the purpose of providing funds for the above first amendment.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Printing copies of the Balboa Park Master Plan was done through the office of Estrada Land Planning, the professional landscape architecture firm that prepared the Master Plan document. Due to the addition of several illustrative drawings and the decision to reproduce all of the plans in color, the total printing cost and related expenses exceeded the amount initially anticipated. The proposed first amendment to agreement increases the fee of reimbursable expenses from \$5,855 to \$26,653.51 to pay for the printing costs.

Aud. Cert. 9000745.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116: (R-90-1462) ADOPTED AS RESOLUTION R-275414

Approving Change Order No. 2, dated November 22, 1989, issued in connection with the contract with R. E. Hazard Contracting Company, dated July 5, 1989, for the improvement of Beyer Boulevard between Faivre Street and

Iris Avenue, amounting to a net increase in the contract price of \$26,000.

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 5, 1989, a contract was awarded to R. E. Hazard Contracting Company for the improvement of Beyer Boulevard between Faivre Street and Iris Avenue. The project consists of widening the existing two-lane street to a four-lane major street with curbs, gutter, sidewalks and bicycle lanes, along with the replacement of the existing deteriorating wooden bridge. At the location of the north bridge abutment, there is a depressed area in the riverbed where water from a nearby storm drain outlet accumulates. The water has fines suspended in it from the soiled roadway above. Over the years, this accumulation of fines mixed with organic materials has rendered the ground unsuitable soil for placing the bridge embankment over it. Change Order No. 2 will provide for the removal and disposal of the unsuitable soil in the area of the north bridge abutment. After completion of this work, determination of a commensurate time extension will be made in accordance with Section 8-1.07 of the Standard Specifications.

Aud. Cert. 9000782.

FILE LOCATION: CONT - R. E. Hazard Contracting Company  
CONTFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-117: (R-90-1463) ADOPTED AS RESOLUTION R-275415

Approving Change Order No. 5, dated November 1, 1989, issued in connection with the contract with R.E. Hazard Contracting Company, for the improvement of Beyer Boulevard between Faivre Street and Iris Avenue, amounting to a net increase in the contract price of \$45,120.74.

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 5, 1989, a contract was awarded to R.E. Hazard Contracting Company for the improvement of Beyer Boulevard between Faivre Street and Iris Avenue. The project consists of widening the existing two-lane street to a four-lane major street with curbs, gutter, sidewalks



and bicycle lanes, along with the replacement of the existing deteriorating wooden bridge. During the grading operation for the new bridge foundation, the contractor encountered unsuitable (compressible) soil in the area of the north bridge abutment that needed to be removed and replaced with good soil. The removal of this soil was authorized by Change Order No. 2. Change Order No. 5 will provide funds to prepare the area of the north bridge abutment to receive the planned embankment after the removal of the unsuitable material and provide for the installation of six additional steel pilings to compensate for anticipated settlement of the fill bank during placement of fill and shortly thereafter.  
Aud. Cert. 9000781.

FILE LOCATION: CONT - R. E. Hazard Contracting Company  
CONTFY90-1

COUNCIL ACTION: (Tape location: B056-063.)  
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200:  
Four actions relative to agreements with the State of California and Episcopal Community Services for the operation of the Downtown Homeless Day Center:

19900402

(See City Manager Report CMR-90-147. Centre City East Community Area. District-8.)

Subitem-A: (R-90-1502) ADOPTED AS RESOLUTION R-275416  
Authorizing the execution of a lease agreement with the State of California, acting by and through its Department of Transportation, for approximately 25,000 square feet of land on 17th Street, between K and L Streets, for the purpose of a homeless day center; authorizing the City Manager to accept the generous contribution of \$125,000 from the Regional Task Force on the Homeless to provide funding for the operation of the Neil Good Day Center, and to place said contribution in Fund 19620; authorizing the Auditor and Comptroller to expend not to exceed \$125,000

from Fund 19620 for the operation of the Neil Good Day Center; authorizing the Auditor and Comptroller to expend not to exceed \$2,560 from the FY 1990 Community Services budget for lease option/rental costs for the above described 25,000 square feet of land on 17th Street.

Subitem-B: (R-90-1503) ADOPTED AS RESOLUTION R-275417

Certifying that the information contained in Environmental Negative Declaration END-86-0955 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, and has been reviewed and considered by the Council.

Subitem-C: (R-90-1504) ADOPTED AS RESOLUTION R-275418

Authorizing the execution of an agreement with Episcopal Community Services, Inc., for the operation of the Neil Good Day Center.

Subitem-D: (R-90-1505) ADOPTED AS RESOLUTION R-275419

Declaring that the facility to be built on the approximately 25,000 square-foot parcel of land on 17th Street, between K and L Streets, and operated by Episcopal Community Services, Inc., is named "Neil Good Day Center," in remembrance of Neil Good's contributions to the community on behalf of the homeless.

Aud. Cert. 9000807.

FILE LOCATION: Subitem A-B LEAS - California, State of,  
Department of Transportation; Neil Good Day  
Center; Subitems C-D MEET  
LEASFY90-1;CONTFY90-1

COUNCIL ACTION: (Tape location: A391-620.)

MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-90-1366) ADOPTED AS RESOLUTION R-275420

(Continued from the meeting of March 19, 1990, Item 134, at the City Manager's request, for further review.)

Authorizing the execution of a second amendment to the agreement of August 16, 1988, with Pountney and Associates, Inc. for professional services in connection with the Mission Bay Park Shorelines Restoration and Environmental Enhancement Project, together with modifications or

amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an increased amount not to exceed \$24,000 from CIP-22-069.0, Mission Bay Park Shoreline Restoration and Enhancement Project, in Capital Outlay Fund No. 302453, for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves upon advice from the administering department.

(Mission Bay Community Area. District-6.)

**CITY MANAGER SUPPORTING INFORMATION:** In August 1988, an agreement was executed for Pountney and Associates, Inc., to conduct an Eelgrass Survey in Mission Bay as Phase I of the Mission Bay Park Shoreline Restoration and Enhancement Project. In November 1988, the agreement was amended to include preparation of a Shoreline Stabilization and Restoration Master Plan and associated Environmental Impact Report (EIR) as Phase II of the project. Today's actions will provide professional services to conduct a sand grain size pilot study at two locations in Mission Bay Park. The results of the study will be used to determine whether a coarser grain sand beach is a viable alternative for beach stabilization in Mission Bay Park and if the impacts can be mitigated. This contract amendment will require the consultant to: oversee the City crew in

construction of the two pilot study sites; monitor sand stability, wave velocity, and possible environmental impacts to eelgrass, fish, invertebrates, shorebirds, and human use; and prepare a final report of study findings.

Aud. Cert. 9000819 Rev.

**FILE LOCATION:** MEET CCONFY90-1

**COUNCIL ACTION:** (Tape location: B056-063.)

**CONSENT MOTION BY WOLFSHEIMER TO ADOPT.** Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S400: (R-90-1553 Rev. 1) ADOPTED AS RESOLUTION R-275421

Authorizing the execution of a second amendment to the

agreement with Ralph Bradshaw/Richard Bundy and Associates to provide consultant services in connection with the Scripps Miramar Ranch Branch Library; authorizing the expenditure of an amount not to exceed \$22,000 from Capital Outlay Fund CIP-35-060.0, Scripps Miramar Ranch Facilities Impact Fee Fund 39058, for the purpose of providing funds for the above project.

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The original agreement authorized by Council action provided for a master plan of a 20,000 square-foot Library including a 5,000 sq. ft. Community Meeting Room Facility. After review by Community Groups, the consultant was to proceed with an expandable 10,000 sq. ft. Phase I since total project funding was not yet available. Subsequently, the additional funding was provided through the anticipated Miramar Ranch North Development. Design of the 20,000 sq. ft. building was authorized and completed. Since this additional funding was later rescinded it is not possible to construct the larger plan with the Community Meeting Room at this time. This amendment will provide the professional services to modify the design and site plan for the expandable 10,000 sq. ft. Phase I Project. This branch will serve both the Scripps Ranch and Miramar Ranch North Communities. The architecture will be in the "Mission Revival" style and it will replace the existing storefront Library in Scripps Ranch. This

project is identified in and is consistent with the Scripps Miramar Ranch Community Plan and is in accordance with City's General Plan Guidelines.  
Aud. Cert. 9000818.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S401: (R-90-1470) ADOPTED AS RESOLUTION R-275422

A Resolution approved by the City Council in Closed Session on Tuesday, March 13, 1990 by the following vote:  
Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-not present; Bernhardt-not present; Henderson-yea; McCarty-yea;

Filner-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$80,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the flooding on the property of MCP Investment Company (Superior Court Case No. 600219, MCP Investment Company v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$80,000 made payable to MCP Investment Company and its attorneys, Endeman, Lincoln, Turek and Heater, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims as a result of the incidents of November 5, 1987 and December 4, 1987.  
Aud. Cert. 9000839.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S402: (R-90-1568) ADOPTED AS RESOLUTION R-275423

Approving the acquisition of the Birtcher Del Mar property by the San Dieguito Park Joint Powers Authority; authorizing the appropriation of \$1.3 million from the Wetlands Acquisition Fund (10545) for the specific purpose of contributing to the purchase of the Birtcher Del Mar property; authorizing the City Auditor and Comptroller, upon request of the City Manager, to directly deposit the above specified \$1.3 million into the acquisition escrow only at such time as the escrow of the above mentioned Birtcher Del Mar property is ready to close.  
(See City Manager Report CMR-90-79 and Committee Consultant Analysis TLU-89-12.

COMMITTEE ACTION: Initiated by TLU on 4/24/89.

Recommendation to direct the City Manager to proceed towards the acquisition of the Birtcher property in lower San Dieguito and schedule a closed City Council session on the subject at the earliest possible date. Districts 1, 2, and 4 voted yea.

Districts 5 and 8 not present.  
Aud. Cert. 9000816.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-90-1538 Rev.1) ADOPTED AS AMENDED AS RESOLUTION  
R-275424

19900402

Approving the recommendations contained in City Manager Report CMR-90-154 (Revised); authorizing the execution of a first amendment to the agreement of June 29, 1987 with Med-Trans, dba Hartson Medical Service, for paramedic services; allowing an increase of fees for advance life support paramedic services to \$327, together with any necessary modifications which do not increase the agreement's scope or cost which the City Manager shall deem necessary to carry out the purposes and intent of the agreement.

(See City Manager Report CMR-90-154.)

COMMITTEE ACTION: Reviewed by PSS on 3/26/90. Recommendation to approve the City Manager's recommendation. The Committee requested the City Manager to consider acceleration of the evaluation process by 60 days. Districts 2, 4 and 7 voted yea. Districts 3 and 5 not present.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: B096-D080.)

Motion by Roberts to approve the PS&S (Public Services and Safety) Committee recommendation for a \$65 rate increase to be conditioned upon the salary increase. Direct the City Manager to prepare the evaluation of the performances and report back in 60 days to the PS&S Committee. At that time, the PS&S Committee will determine if there will be a reopening of the negotiations.

Second by McCarty. No vote.

Substitute motion by Filner to refer the item back to the City Manager for discussions with both sides, Hartson and SEIU, so that the recommendation that comes back to Council within 30 days will be compatible with the tentative agreement. Second by Hartley. No vote.

MOTION BY PRATT TO ADOPT AS AMENDED BY APPROVING THE \$65 RATE INCREASE CONDITIONED UPON THE SALARY INCREASE. DIRECT THE CITY MANAGER TO DO THE FOLLOWING: 1. CONDUCT AN EVALUATION, AS SOON AS POSSIBLE, WITHIN 60 DAYS. 2. PROVIDE RECOMMENDATIONS ON A TWO-YEAR CONTRACT EXTENSION AND COME BACK TO COUNCIL. 3. AS PART OF THE EVALUATION OF THE CONTRACT EXTENSION, GIVE CONSIDERATION OF ALL ISSUES CONTAINED IN THE TENTATIVE AGREEMENT. 4. PROVIDE RECOMMENDATIONS ON AMENDMENTS TO RESPONSE TIME. 5. FURTHER REVIEW THE INCREASE IN USER FEES TO ASSURE ITS CONSIDERATION OF ALL POTENTIAL UNRESOLVED ISSUES. 6. INCLUDE A RECOMMENDATION REGARDING THE FEASIBILITY OF THE FIRE DEPARTMENT TAKING OVER THE PROGRAM. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (O-89-141) ADOPTED AS ORDINANCE O-17450 (New Series)

(Continued from the meeting of March 26, 1990, Item 51, at Council Member Wolfsheimer's request, to finalize agreements with the school district.)

Incorporating property located at the southerly terminus of La Trucha Street between Stargaze Avenue and Rotherham Way into R1-5000 (HRO) and Open Space Park (OSP) Zones.

(Case-87-0115. Penasquitos East Community Area.

District-1. Introduced on 3/13/90. Council voted 6-0.

Districts 4, 5, and Mayor not present.)

NOTE: See Item S405 for a companion item.

FILE LOCATION:     ZONE ORD. NO.

COUNCIL ACTION:    (Tape location: B075-095.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-S405:

(Continued from the meeting of March 26, 1990, Item S405,  
at Council Member Wolfsheimer's request, to finalize the  
agreement with the school district.)

Two actions relative to the Hampe Hills Project -  
supplemental agreements:

Subitem-A:   (R-90-1526)   ADOPTED AS RESOLUTION R-275425

Authorizing the execution of an agreement with Sunburst  
Homes Corporation for Sunset Hills/Adobe Bluffs  
Neighborhood Park Reimbursement (F.B.A. Credits).

Subitem-B:   (R-90-1525)   ADOPTED AS RESOLUTION R-275426

Authorizing the execution of an agreement with Poway  
Unified School District.

NOTE: See Item S404 for a companion item.

FILE LOCATION:     SUBD - Hampe Hills   CONTFY90-2

COUNCIL ACTION:    (Tape location: B070-095.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-90-1459)   ADOPTED AS RESOLUTION R-275427

(Continued from the meeting of March 26, 1990, Item 108, at  
Council Member Bernhardt's request, for further review.)

Vacating the excess portion of Camino de la Reina east of  
Camino del la Siesta and adjacent to Lot 2 of the  
Miller-Bond Subdivision Map-5732, under the procedure for  
the summary vacation of streets.

(Mission Valley Community Area. District-5.)



CITY MANAGER SUPPORTING INFORMATION: The proposed vacation of Camino de la Reina east of Camino de la Siesta has been requested in order to accommodate the applicant's plans to utilize the excess right-of-way as proposed with PCD-89-0433. The applicant proposes to utilize the excess right-of-way for additional on-site parking. The excess right-of-way was created recently when Camino de la Reina was realigned as part of the M.B.M. West Subdivision. The area-of-vacation is located in the Mission Valley Community Planning Area and situated in a CA Zone. The area-of-vacation totals approximately 6,320 square feet. Development within the vacation area will be limited to parking under Planned Commercial Development Permit PCD-89-0433. This street vacation is exempt from CEQA based on the "General Rule," Section 15061(b)(3) of CEQA Guidelines. The Planning Department has no objections to the proposed vacation and the Planning Commission recommended approval on November 9, 1989, by a 6-0 vote. The area-of-vacation is presently unimproved, but contains franchise facilities for which an easement has been acquired by a separate document. The excess right-of-way was created recently when the alignment of Camino de la Reina was

shifted and angled to the north as required by the M.B.M. West Subdivision, Map-12358. The improvements for Camino de la Reina, which include curb, gutter, and sidewalks adjacent to the vacation, have been constructed; therefore, the excess right-of-way is no longer required for present or prospective public use. Staff review has indicated that the excess right-of-way to be vacated is no longer required for present or prospective public use and may be summarily vacated.

FILE LOCATION: DEED F-5221; STRT J-2735 DEEDFY90-1

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-90-1042) ADOPTED AS RESOLUTION R-275428

(Continued from the meetings of February 5, 1990, Item 209B and March 12, 1990, Item 205; last continued at Councilmember Filner's request until the Council hearing of the street lighting issue.)  
Authorizing the expenditure of an amount not to exceed

\$25,000 from CIP-68-012.0, solely and exclusively for the purpose of providing funds for the installation of street lights in high crime areas; authorizing the use of City work forces, not to exceed \$25,000, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On 7/10/89, the TLU Committee considered City Manager Report CMR-89-337. The Committee referred to the City Council, for approval and implementation, the issue of additional street lighting in areas identified by the Police Department as locations where additional lighting would increase their ability to provide enforcement. The FY '90 budget had been approved prior to this request. Funds are to be transferred by Resolution from the FY '90 budget, CIP-52-293, Annual Allocation - Installation of City-owned Street Lights, to CIP-68-012.0 (new), Annual Allocation - Installation of City-owned Street Lights in High Crime Areas. The Police Department will identify areas where additional lighting would increase their ability to provide enforcement. The Engineering and Development Department will

administer the street lighting designs and installations for the Police Department after their selection of the areas of highest need. The use of City Forces is recommended in order to save labor, engineering and inspection costs, and expedite the installation time. CIP-68-012.0 was a Non-Budgeted item for FY '90, therefore, the General Services Budget needs to be increased for the reimbursement from this CIP.

Aud. Cert. 9000573.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D090-E455.)

MOTION BY HENDERSON TO CONFIRM THE USE OF LOW SODIUM LIGHTS, WITHOUT EXCEPTION, AND DIRECT THE CITY MANAGER TO PUT MORE AND BETTER LIGHTING DESIGN INTO AREAS WHERE AN IDENTIFIED NEED EXISTS. Second by Filner. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: (R-90-1393) ADOPTED AS RESOLUTION R-275429

(Continued from the meeting of March 26, 1990, Item 118, at the City Manager's request, for further review.)  
Authorizing the City Auditor and Comptroller to transfer

the amount of \$28,500 from Capital Outlay Fund 30245, CIP-22-068, South Crown Point Storm Drains, to CIP-22-069.0, Mission Bay Park Shoreline Reclamation and Environmental Enhancement; authorizing the expenditure of an amount not to exceed \$59,500 from Capital Outlay Fund No. 30245, CIP-22-069.0, Mission Bay Park Shoreline Reclamation and Environmental Enhancement, for the purpose of conducting sand grain size testing in Mission Bay Park; authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves upon advice from the administering department.

(Mission Bay Park Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: There are \$28,500 in savings in a shoreline improvement project on Mission Bay, South Crown Point Storm Drain (CIP-22-068). Today's action will transfer that savings to Mission Bay Park Shoreline Reclamation

and Environmental Enhancement (CIP-22-069.0) to help fund an immediate unfunded need for the Mission Bay shoreline. The balance of funds is available in CIP-22-069.0. That need is to purchase sand to conduct a Sand Grain Size Test at two shoreline erosion locations in Mission Bay Park. The test was authorized by the California Coastal Commission on October 12, 1989. Results of the test are critical to environmental evaluations of proposed erosion control measures in Mission Bay Park. Aud. Cert. 9000820.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-90-1183) CONTINUED TO APRIL 23, 1990 AT 2:00 P.M.

Authorizing the execution of a twenty-five year lease agreement with John A. and Amelia Baldan, dba Casa Machado Restaurant No. 3, to operate a restaurant and cocktail lounge at Montgomery Field, on a percentage lease with a beginning minimum annual rent of \$46,800.

(See City Manager Report CMR-90-156. Kearny Mesa Community Area. District-5.)

FILE LOCATION:    --

COUNCIL ACTION:   (Tape location: E458-F280.)

MOTION BY McCARTY TO RETURN TO THE CITY MANAGER, AT THE MANAGER'S REQUEST, TO COME BACK IN THREE WEEKS WITH RECOMMENDATIONS. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410: (R-90-1567)   CONTINUED TO APRIL 16, 1990, AT

2:00 P.M.

Council confirmation of the reappointment by the Mayor of Linda Legerrette to serve as a member on the Metropolitan Transit Development Board, for a three-year term ending June 30, 1993.

(See memorandum from Mayor O'Connor dated 3/27/90.)

FILE LOCATION:    --

COUNCIL ACTION:   (Tape location: A645-678.)

MOTION BY PRATT TO CONTINUE TO APRIL 16, 1990, AT THE CITY ATTORNEY'S REQUEST TO PROVIDE A CORRECTED RESOLUTION. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S411: (R-90-1566)   ADOPTED AS RESOLUTION R-275430

Council confirmation of the reappointments by the Mayor of Carol Forrest, Tim Graves, Ure Kretowicz, Carol Landsman, and H. Tom Kuper, to serve as members on the Land Development Advisory Board, for two-year terms ending March 1, 1992.

(See memorandum from Mayor O'Connor dated 3/28/90.)

FILE LOCATION:    MEET

COUNCIL ACTION:   (Tape location: B056-063.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S412: TRAILED AS UNFINISHED BUSINESS TO TUESDAY, APRIL 3,  
1990

Three actions relative to the contract for installation of  
the seventh pump assembly at the Metro Pump Station No. 2:  
(BID-K1377/90)  
(Harbor Community Area. District-2.)

Subitem-A: (R-90-1279)

Inviting bids for the Metro Pump Station No. 2, 7th Pump  
Installation; authorizing the execution of a contract with  
the lowest responsible bidder; authorizing the Auditor and  
Comptroller to transfer \$192,224 within the Sewer Revenue  
Fund No. 41506 from CIP-46-111.0, Rose Canyon Trunk Sewer  
to CIP-46-101, Metro Pump Station No. 2, Additional Pumps;  
authorizing the expenditure of not to exceed \$912,224 from  
Sewer Revenue Fund, CIP-46-101, Metro Pump Station No. 2  
Additional Pumps, for providing funds for said project and  
related costs; authorizing the Auditor and Comptroller,  
upon advice from the administering department, to retain  
excess budgeted funds, if any, in the appropriate reserves.  
(Prime construction contract \$700,000.)

Subitem-B: (R-90-1280)

Authorizing the use of City Forces to do all the work where  
required in connection with the above construction;  
declaring that the cost of said work shall not exceed  
\$10,000.

Subitem-C: (R-90-1571)

Authorizing the City Manager to enter into a first  
amendment to the agreement with Brown and Caldwell  
Engineering Co. for professional services in connection  
with Metro Pump Station No. 2.

CITY MANAGER SUPPORTING INFORMATION: Metro Pump Station  
No. 2, located on North Harbor Drive, was originally constructed  
in 1962 with four pumps. Two more pumps were installed in 1986.  
Pump Station No. 2 pumps all of the City's and Metro sewage  
flows to the Point Loma Wastewater Treatment Plant. Additional  
pumping capacity is needed for the station to continue to meet  
peak demand and to allow one pump as standby. By Resolution  
R-274334, dated September 11, 1989, the City retained the  
services of Brown and Caldwell Consulting Engineers to perform  
engineering studies for the installation of the 7th and 8th

pumps at the station.

In order to continue to meet peak flow, a previously purchased 7th pump assembly needs to be installed on an accelerated schedule. This is a request to approve the plans and specifications, and for authorization to advertise and award a construction contract. All major components have been previously purchased and will be on site at the pump station. Due to the difficulty and time sensitive nature of this project and in order to maintain project continuity and responsibility,

it is recommended that construction management services be performed by Brown and Caldwell Consultants.  
WU-P-90-116.

FILE LOCATION:    --

COUNCIL ACTION:    (Tape location: F281-286.)

MOTION BY HARTLEY TO TRAIL TO TUESDAY. Second by McCarty.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not  
present, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1:    REFERRED TO THE CITY MANAGER

By City Manager Lockwood for Council Member Bernhardt  
requesting that a resolution adopted March 26, 1990 to  
rename some streets in her district be referred to the City  
Manager to be redocketed with a new resolution because the  
original resolution did not contain the street names as she  
preferred.

FILE LOCATION:    AGENDA

COUNCIL ACTION:    (Tape location: F287-290.)

ITEM-CC-2:    By Mayor O'Connor commenting on the old Sears  
site in Council Member Roberts' district.

FILE LOCATION:    AGENDA

COUNCIL ACTION: (Tape location: F291-294.)

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:05 p.m. in honor of the memory of Lee Platt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F295-300.).